

REMARKS/ARGUMENTS

Upon entry of this amendment, claims 1-3, 5-16 and 18-25 will be pending in this application and presented for examination. Claims 4, 17 and 26-29 were cancelled. Claims 1, 12, 14 and 23 were amended to correct minor errors or more distinctly claim the invention. Support for the amended claims can be found in the specification. No new matter has been added. Reconsideration is respectfully requested.

Claims

Claims 1-29 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Godin et al. (herein after Godin) in view of Walker et al. (hereinafter Walker). Neither of these two references, alone or in combination, discloses, among others, the plurality of users includes a buyer of the merchandise item, the buyer of the merchandise item is free from providing any condition associated with the merchandise item, the merchandise inspection report is displayed prior to the processing a plurality of bids from a plurality of users, and the merchandise inspection report is conducted by an impartial third party, wherein the merchandise inspection report includes a warranty as an assurance to said buyer.

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Amdt. dated February 13, 2004
Reply to Office Action of October 17, 2003

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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